

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 1-30 are pending in the application.

Claims 1, 8-12, 14-16, 23-27 and 29-30 stand rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,324,272 to Abu-Shukhaidem et al. in view of U.S. Patent No. 5,859,901 to Brendzel et al. Claims 2-7, 13, 17-22 and 28 stand rejected under § 103 as being unpatentable over Abu-Shukhaidem et al., Brendzel and U.S. Patent No. 6,208,870 to and Lorello et al.

Each of these rejections are respectfully traversed for the reasons set forth below.

Each of the independent claims 1, 12, 16, and 27 is directed to an arrangement in a notification system for sending a notification message to a messaging server configured for identifying a user based on a destination telephone number in a first format. For example, independent claim 1 specifies a method including obtaining for the notification message a destination telephone number in a second format; converting the destination telephone number in the second format to the destination telephone number in the first format based on execution of a mapping rule selected based on a match between the mapping rule and at least a portion of the destination telephone number in the second format; and outputting the notification message having the destination telephone number having the first format.

Hence, the notification system can output notification messages to a messaging server configured for identifying the destination telephone number in the first format, independent of any further translation by

an external switch or number translation resource. These and other features are neither disclosed nor suggested in the applied prior art.

The Examiner stated that Abu-Shukhaidem teaches "obtaining for the notification message (column 4, line 10 "the incoming message") a telephone number (column 4, line 12 "telephone number") in a second format ..." and "converting the telephone number in the second format...". The Examiner conveniently omitted the term "destination" in his interpretation as to what Abu-Shukhaidem teaches. Each independent claim recites a destination telephone number. For example, claim 1 recites "obtaining for the notification message a destination telephone number in a second format." Abu-Shukhaidem teaches that the manipulation is performed in a switch (e.g., see, col. 5, lines 45-49) on the calling party number to enable the called party to perform features such as automatic callback or caller ID (col. 5, lines 31-44). In contrast, the independent claims 1, 12, 16 and 27 specify that the converting is performed in a notification system on the destination telephone number. ~?

The Examiner admits that Abu-Shukhaidem fails to disclose converting the destination telephone number in the second format, but cites Brendzel as teaching the conversion of the destination telephone number. The Examiner then contends that it would have been obvious to one of ordinary skill in the art at the time the invention was made "to use the manipulation of the dialed telephone number by adding the area code of Brendzel in the invention of Abu-Shukhaidem". However, Abu-Shukhaidem does not suggest a need to modify a destination telephone number. Any modifications needed to be done in Abu-Shukhaidem are performed on the calling party number. "The mere fact that the prior art may be modified

in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification.” In re Fritch, 23 USPQ2d 1780, 1783-84 (Fed. Cir. 1992).

Furthermore, the Examiner contends that Abu-Shukhaidem teaches a messaging server as claimed and cites item 420 in FIG. 4. However, item 420 of FIG. 4 are identifications of various switches or trunk groups of incoming messages and call legs (see column 8, lines 40-44 of Abu-Shukhaidem).

Thus, even if the hypothetical combination of Abu-Shukhaidem and Brendzel were made, it would merely disclose the manipulation of an incoming message or calling party number at a switch, but would neither disclose nor suggest converting the destination telephone number in a notification system for sending a notification message for a user to a messaging server.

For these and other reasons, the rejection of independent claims 1, 12, 16 and 27 and the claims that depend therefrom should be withdrawn.

With regard to claims 2, 13 and 28, the Examiner merely states that Lorello teaches the outputting step includes outputting the notification message to the messaging server according to SMPP protocol. The Examiner provides no indication as to how the primary references could be modified to include this feature and fails to disclose any motivation required to modify the primary references. As noted above, Abu-Shukhaidem performs his modifications at a switch and does not employ a messaging server. Lorello discloses a short message service network. Thus, it is not clear how Abu-Shukhaidem’s switch could be modified by Lorello to output a notification message to a messaging server according to SMPP protocol.

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It is well settled that "teachings of references can be combined only if there is some suggestion or incentive to do so." In re Fine, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988) (quoting ACS Hosp. Sys. v. Montefiore Hosp., 221 USPQ 929, 933 (Fed. Cir. 1984)) (emphasis in original). "It is impermissible to use the claimed invention as an instruction manual or 'template' to piece together the teachings of the prior art so that the claimed invention is rendered obvious." In re Fritch, 23 USPQ2d 1780, 1784 (Fed. Cir. 1992). For these reasons, it is submitted that the rejection of claims 2, 13 and 28 is improper and should be withdrawn.

In view of the above, it is believed this application is in condition for allowance, and such a Notice is respectfully solicited.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1130 under Order No. 95-424, and please credit any excess fees to such deposit account.

Respectfully submitted,



Edward J. Stemberger
Registration No. 36, 017

Customer Number 23164
(202) 261-1059
Date: December 1, 2003